

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

CARIE I. ZUMWALT,

Plaintiff,

v.

JO ANNE B. BARNHART,

Commissioner of Social Security Administration,

Defendant.

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Case No. CIV-04-1631-M

**ORDER**

On November 30, 2005, United States Magistrate Judge Doyle W. Argo issued a Report and Recommendation [docket no. 17] in this action brought pursuant to 42 U.S.C. § 405(g) for judicial review of the final decision of Defendant, Commissioner of the Social Security Administration (“Commissioner”), denying Plaintiff’s application for disability insurance benefits and supplemental security income benefits. Magistrate Judge Argo recommends that the Commissioner’s decision be affirmed. The parties were advised of their right to object to the Report and Recommendation by December 20, 2005. Plaintiff timely filed her objections.


In her objections Plaintiff contends that the Magistrate Judge did not adequately consider her argument that the Administrative Law Judge disregarded the opinions of Dr. Cruse and her treating physician, Dr. Dickinson. A review of the briefs previously filed in this case reveals that Plaintiff made virtually the same arguments in her opening brief [docket no. 15]. Having carefully reviewed the administrative record, the Report and Recommendation, and Plaintiff’s objections, the Court finds that the Report and Recommendation accurately states the relevant law, fairly represents the facts contained in the administrative record, and correctly analyzes the interconnection between the two. The Court further finds that the Magistrate Judge adequately considered all of Plaintiff’s

arguments, and, for the reasons set forth in the Report and Recommendation, that the decision of the Commissioner should be affirmed.

Accordingly, upon *de novo* review, the Court:

- (1) ADOPTS the thorough and well-reasoned Report and Recommendation issued by Magistrate Judge Argo on November 30, 2005;
- (2) AFFIRMS the Commissioner's denial of Plaintiff's application for both disability income benefits, and supplemental security income benefits; and
- (3) ORDERS that judgment in favor of the Commissioner issue forthwith.

**IT IS SO ORDERED this 27th day of December, 2005.**



VICKI MILES-LAGRANGE  
UNITED STATES DISTRICT JUDGE